

Industry and Regulators Lords Select Committee Inquiry into the Building Safety Regulator

G15 response

August 2025

About the G15

The G15 is made up of London's leading housing associations. The G15's members provide more than 880,000 homes across the country, including around one in ten homes for Londoners. The G15 represents the largest providers of new affordable homes in London and accounts for approximately 15% of all affordable homes built across England. Over the last few years, our members have funded and delivered more than 56,000 new homes in partnership with the Mayor of London. Delivering good quality safe homes for our residents is our number one priority. Last year our members invested almost £2bn in improvement works and repairs to people's homes, ensuring people can live well. Together, we are the largest providers of new affordable homes in London and a significant proportion of all affordable homes across England. It's what we were set up to do and what we're committed to achieving. We are independent, charitable organisations and all the money we make is reinvested in building more affordable homes and delivering services for our residents.

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- Clarion Housing Group
- The Guinness Partnership
- Hyde
- L&Q
- MTVH
- Sovereign Network Group
- Notting Hill Genesis
- Peabody
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For more information, please contact: G15@Peabody.org.uk

Q1. What is your experience of the Building Safety Regulator's regulatory framework? Has the introduction of the BSR improved the safety of the buildings it is responsible for?

We fully support the principles behind the creation of the Building Safety Regulator. The framework has strengthened governance and accountability across the sector, raised awareness of safety responsibilities, and established clear oversight of higher-risk buildings. These are important changes that we welcome.

However, our collective experience of the framework in practice has been overwhelmingly challenging. Members consistently experience long delays, unclear requirements, and inconsistent decision-making. Gateway 2 applications are taking many months longer than the statutory timescales allow, with some stretching to 40 weeks or more.

A particular concern is the inconsistency between inspectors. Members report that different inspectors apply different thresholds for details at Gateway 2, with some requiring reinforcement drawings or other information that is not normally available until later stages of design. Due to the unclear definition of "building work," interpretations vary, with some treating routine improvements, such as bathroom or kitchen replacements, as if they were major construction projects. Because there is no published feedback from previous applications, we cannot anticipate what standard will be applied, creating further uncertainty and delay.

Handover between account holders has also been problematic at times, with new account holders holding incorrect information or asking for previously submitted details to be resupplied.

That said, the introduction of the new framework has promoted a strengthened focus on internal governance and processes, increased routine structural risk assessments, and fire safety reviews. It's also encouraged improved collaboration with EMAs.

One or two members have seen some positive engagement and timely determinations for straightforward applications; however, these are rare exceptions. For the vast majority, the regime as it stands is not providing clarity or efficiency but is instead creating significant and costly bottlenecks that slow both new development and essential safety works to existing homes.

Q2. How has the BSR's regulatory framework impacted the delivery of new homes and the maintenance and improvement of existing high-rise buildings?

The framework has undoubtedly slowed the delivery of new homes. As a result of the delayed approvals, many members have made the decision not to pursue building high-

rise buildings or have redesigned schemes to fall just below the 18-metre threshold to avoid the gateways process. This redesign also reflects the additional financial challenges of the new building safety regime, including the need to incorporate second staircases, which add cost and complexity and can make schemes unviable. Some members are being forced to focusing development outside London, where land values allow more flexibility to build at height. This is happening even where this has compromised planning efficiency or impacts viability.

The level of design detail required at Gateway 2 has extended pre-construction programmes by six to eight months, with complex buildings taking up to 40+ weeks to obtain approval, and early contractor appointments have raised costs and reduced competition. While many members attribute delays primarily to the regulator, some note that a lack of clarity on what needs to be included in submissions and, therefore those of poor-quality also contribute to slower approvals.

Remediation and maintenance works for existing stock have also been delayed. One member's cladding remediation scheme was rejected after seven months with little feedback, while another took eleven months to approve. Data provided one member shows how widespread the problem has become; as of July 2025, only 338 out of 2,108 Gateway applications had been approved (around 16%). For new builds, the rate is just 8%, and cladding remediation stands at 12%. This demonstrates the scale of systemic delay and inconsistency across the regime.

Members have also noted that certain types of work on higher-risk buildings are delayed due to the unavailability of competent persons schemes under the new framework, which can create practical challenges.

Members have also flagged how the absence of meaningful dialogue during the determination process, which limits opportunities to clarify issues or update documentation. This contrasts with the more iterative approach seen in planning applications. Inconsistent moderation approaches have also been reported, with applications of similar detail treated differently, further compounding uncertainty.

Furthermore, routine works such as kitchen and bathroom replacements are sometimes misclassified as construction projects, creating unnecessary burden and delay. Full building control applications are required even for works that could be self-certified or considered minor, adding cost and delaying maintenance improvements. These difficulties are not isolated cases; they reflect systemic problems that are affecting investment and planning decisions across the sector.

While Gateway Two is currently the main area of concern, similar issues are anticipated with the BSR's change control processes and Gateway Three approvals. The way the regulator intersects with the housing sector is also a key factor. Given the sector's

typically fragmented supply chain, adapting to regulatory changes that require fundamental shifts in how building works are procured and delivered has proven especially difficult. Contractor availability, industry competence, and willingness to take on the Principal Designer role remain constrained, increasing risk and placing greater responsibility on clients.

Overall, the BSR framework is adding significant time, cost, and complexity to both new developments and the maintenance of existing high-rise buildings. This has material implications for the delivery of affordable homes, as schemes may be delayed, redesigned, or deemed financially unviable. It is worth noting that some members emphasise that part of the challenge also lies with industry readiness rather than solely with the regulator.

Q3. What impacts could the BSR's framework have on the delivery of the Government's housing targets? How significant are high-rise buildings to meeting these targets, and how does building safety regulation compare with other obstacles?

High-rise development is essential to delivering affordable homes in London, where land values make building at height unavoidable. However, as outlined above, many members are now avoiding building at height, due to the issues associated with the Gateway 2 process. This poses a direct risk to the delivery of housing in the capital, where viable schemes often depend on building above 18 metres.

There are multiple contributory factors to the current slowdown in delivery, including planning delays, supply chain disruption and skills shortages. The BSR regulatory framework is one of these barriers, but it is uniquely problematic because the timescales for approval are uncertain and difficult to predict. Unlike planning, where programmes can at least factor in expected delays, the BSR process forces schemes to make large allowances that increase holding costs and reduce viability.

The shortage of Building Regulations Principal Designers is another constraint, with limited availability of qualified professionals willing to take on the liability attached to the role. Members have also reported difficulties obtaining clear advice from the regulator, further slowing progress.

All future projects delivered through in-house build routes by some members include high-rise buildings, which means these impacts cannot be avoided. The effect is not just on individual projects but on overall development capacity, reducing budgets available for future pipeline schemes.

Ambiguous regulatory timescales and uncertainty around return on investment are also beginning to affect investor confidence, which could further constrain delivery. Unless

the system improves, the Government's target of 1.5 million homes will severely struggle to be met. Housing associations are key delivery partners in achieving this ambition and as a group, we have thousands of homes in the pipeline over the coming years, many of which involve HRBs and are therefore directly affected by BSR requirements.

Q.4 Does the Building Safety Regulator's regulatory framework strike the right balance between providing a holistic, outcomes-based view of safety and ensuring that developers and building owners understand what they are required to do?

The BSR's framework does not yet strike the right balance.

On the building control side, there is not enough guidance, support or assistance for developers and building owners, particularly in relation to high-rise buildings. We understand and support the BSR's stance that it is an approval body rather than an advisory body, and that applicants must take responsibility for presenting a convincing case. Members would like to emphasise that this non-advisory approach can create challenges in an industry still adapting to the new system. We also recognise the need for a culture shift away from the former Approved Inspector model, which blurred the line between advice and approval and created conflicts of interest.

However, the expectations of the new system are not well understood across the industry. The culture change required is significant, and without greater clarity the process risks creating more uncertainty. A degree of collaboration will be needed for some time to help ease the transition. Our members' experience is that even within the BSR, there are differing views on what is acceptable, which further undermines confidence.

We would therefore call for more opportunities for dialogue between applicants and the BSR, including at the pre-application stage and during determinations. The recent introduction of a contact route for pre-application discussions on large or complex projects is welcome, but some members emphasise that its effectiveness will depend on consistent application.

On building assessment certification (BAC), guidance and marking criteria were published very late. Organisations had already begun developing or procuring safety case solutions, and in many cases submitted applications before the guidance was available. This has created inconsistency and inefficiency. During the BAC process, some members found the BSR distant and difficult to engage with, despite willingness to learn from feedback.

While we recognise that the BSR itself is still in a learning phase, there is a clear case for closer collaboration and support. Some members suggest an "account manager" or

liaison role could help clarify expectations and build consistency, improving efficiency for both organisations and the BSR while embedding the intended culture change.

Q5. To what extent are delays in approvals for high-rise buildings down to the BSR's regulatory processes? Could these processes be made more proportionate, particularly for smaller works, without compromising safety?

Most members believe delays are primarily driven by the BSR's regulatory processes, though some also point to the quality of Gateway 2 applications as a factor. Capacity constraints and a lack of specialist skills at the BSR, together with the absence of clear service-level agreements, mean applicants often face long periods without feedback. In many cases, missing information is only highlighted after weeks or months, leading to unnecessary delay. Members also report inconsistent expectations between case officers, which creates uncertainty.

There is broad support among members for a staged approach to approvals. The current regime requires applications to be developed to an advanced level of detail before submission, which does not reflect the iterative nature of design and construction. A staged process, similar to planning conditions, would allow projects to progress on the basis that certain details are submitted and approved later. This would reduce abortive design work and allow the BSR to focus scrutiny on the highest-risk elements. Members welcome the emerging "approvals with requirements" process but believe staged approvals should be available as a standard route rather than by exception.

For smaller works, many members feel the current regime is disproportionate. The same level of documentation is sometimes required to replace a single window as for thousands across a block, creating unnecessary cost and delay. A fast-track or lighter-touch route for low-risk projects, supported by competent person schemes, would be more proportionate. Some members also highlight inefficiencies where separate Gateway 2 applications are required for individual buildings within the same scheme, even where most of the supporting information is identical. A single application assessed by one team would reduce duplication and speed up decisions.

Overall, while views differ on the extent to which industry practice contributes to delays, there is clear evidence from most members that the BSR's current processes, lack of timely feedback, inconsistent requirements, and absence of proportionate pathways, are a major factor. Improvements in early engagement, clearer guidance on submission requirements, staged approvals, and streamlined processes for minor works could maintain high standards of scrutiny while reducing unnecessary delay.

Q6. Are the BSR's approval processes sufficiently clear and understandable to developers? What guidance or feedback is necessary, and could this be improved through a review of Approved Documents?

Currently, the BSR's approval processes are not sufficiently clear, particularly for Gateway 2 submissions. Developers are often uncertain about what constitutes a compliant submission, especially regarding reinforcement details, fire strategies, and specialist design input. This uncertainty leads to repeated resubmissions and extended delays.

Members emphasise the need for worked examples, standardised templates, and the publication of anonymised feedback from previous applications so the sector can better understand the regulator's expectations. Some members stress that this would allow the industry to learn from past errors and identify common issues or pitfalls.

Pre-application discussions with the BSR are seen by many as essential. Some members note that opportunities for early engagement are currently limited, although this may change following government announcements about recruitment. Pre-application engagement could help identify gaps early, clarify expectations, and reduce unnecessary resubmissions without extending project timetables.

Members also highlight the need for resident-facing guidance, so leaseholders understand how the regime applies when carrying out minor works within their homes. Some members point out that current guidance is difficult for non-professionals to navigate, creating risk and confusion when residents attempt improvements within their flats.

Administrative questions remain unclear, including how communications are handled post-approval, whether all duty holders are copied in, and how correspondence is logged on the portal. While webinars have clarified some aspects of post-approval workflows, many members would welcome clearer guidance around these processes.

Regarding the content of submissions, members report that guidance on the level of detail required remains insufficient, especially for retrospective improvement works. Some highlight that pre-submission engagement could allow the BSR to confirm acceptable approaches for complex designs, including fire engineering solutions, and reduce unnecessary queries or refusals.

In summary, developers need:

- Comprehensive guidance: Clear examples of what a compliant submission looks like, broken down by project type.
- Structured feedback: Itemised, actionable comments rather than generic rejections to reduce resubmissions.

- Pre-application engagement: A formal route to discuss the submission strategy with the BSR, including MDT fire and structural specialists where relevant, to identify gaps before formal submission.
- Resident-friendly guidance: Clear advice on how minor works are treated for leaseholders undertaking improvements.
- Practical support on Approved Documents: While review of Approved Documents is welcome, more detailed guidance, templates, and case studies are needed to help estimate resource requirements, timing, and appointments.

Overall, there is broad agreement that clearer guidance, better engagement, and structured feedback are essential for the BSR process to operate effectively. Some members emphasise that dialogue and collaboration will improve submission quality and reduce uncertainty around project programmes and costs, while others note that responsibility for compliance ultimately rests with the applicant.

Q7. To what extent are delays caused by a poor understanding of building safety on the part of developers, leading to unsuitable applications? Should the solution to delays be a greater awareness of how to take a holistic approach to safety on the part of developers, rather than more prescriptive guidance on regulatory requirements?

Delays in Gateway Two applications are partly caused by gaps in understanding of building safety among developers and other parties contributing to submissions. Members agree that the regulatory regime requires significant shifts in culture and mindset around building safety, compliance, and building control, and that these changes take time to embed.

Most members emphasise that some delays are due to incomplete or technically inconsistent submissions rather than a lack of effort or diligence. In this context, stronger guidance alone will not fully resolve the problem. Many members support solutions that combine clearer regulatory guidance with enhanced opportunities for dialogue, feedback, and iterative review during the submission process.

Pre-application engagement and structured feedback are widely seen as essential to help applicants understand BSR expectations and improve submission quality. Some members highlight that building awareness of a holistic approach to safety is beneficial, but it should complement, not replace, practical guidance on regulatory requirements.

Overall, there is alignment that delays are not solely the fault of developers' understanding. Rather, a balanced approach is needed: improving awareness and knowledge of holistic safety principles while providing clear, actionable guidance and opportunities for dialogue with the BSR.

Q8. The BSR has suggested it may carry out its work on an organisation-by-organisation basis, rather than building-by-building. Would you support this?

Members are divided on whether regulation should focus on organisations or individual buildings. Some see real benefits in an organisation-level approach. It could reduce duplication, provide more consistent feedback, and help the BSR plan resources across the development pipeline. A closer dialogue with the regulator could also support higher-quality submissions and give developers and contractors clearer guidance on expectations.

Others are cautious. They worry that organisation-level assessment could reduce scrutiny of individual buildings, particularly complex or bespoke projects, and might favour larger developers over smaller ones. There's also a concern that close working relationships with the BSR could compromise the BSR's independence and rigour if some organisations receive preferential treatment.

Several members suggest a hybrid approach. Routine maintenance and minor works could be assessed at the organisational level, while new builds, major remediation, or complex schemes would still be reviewed building by building. For organisations with many similar high-rise buildings, organisation-level oversight could make sense, supported by regular discussions with the BSR to identify issues early and unblock applications.

All members agree that transparency and resident confidence must remain central. Any shift to organisation-level assessment should be carefully designed and communicated, with residents consulted to maintain trust in the system.

Overall, there is support for exploring organisation-level regulation where it makes sense, as long as building-level checks remain for higher-risk or bespoke projects, the criteria are clear and consistently applied, and dialogue with the BSR continues to guide submissions and maintain safety standards.

Q9. To what extent are delays caused by the resources available to the regulator? Is there a case for more funding, and would developers accept higher fees?

There is broad agreement that resourcing and capacity constraints within the Building Safety Regulator (BSR) are a major cause of delay. Some members report that interactions with staff have highlighted a lack of the necessary technical knowledge to assess submissions properly, resulting in unnecessary queries and delays.

On funding, members have varying views. Some would accept higher fees if these were transparently linked to measurable improvements in performance. However, others are unsure whether this benefit would actually be felt and note how any increase in fees

would ultimately reduce affordable housing delivery, given the financial pressures the sector is already under.

For new-build development projects, viability is already a key challenge. Therefore, any increase in BSR application fees would be concerning. However, the cost to developments associated with delays and uncertainty in the BSR process is also significant and may outweigh concerns about fee increases. It is not clear whether higher fees would directly improve the regulator's capacity or speed up approvals, as delays appear to result from multiple factors.

Members have also raised concerns about the availability of Registered Building Inspectors (RBIs) with the appropriate level of registration. It is well reported that there is a shortage of public-sector RBIs, and we understand that the BSR has used private-sector RBIs from its framework to supplement capacity. To address this, members suggest that the BSR consider expanding its pool of RBIs by opening up work to the private sector, while maintaining oversight through BSR regulatory leads. This could significantly increase capacity in the short term.

Recent Freedom of Information (FOI) requests showing the number of undecided applications highlight how capacity is a significant factor, alongside elements of the BSR's processes and the quality of developer applications. We welcome Government's recent efforts to improve the performance of the BSR, including the drive to recruit an additional 100 staff. However, we have reservations about the creation of a fast-track route: a) because this may be subject to similar delays if applications are of insufficient quality or require additional information and b) because the focus should be on improving the BSR's performance for all applications, rather than offering a premium service for those with the most resources.

Ultimately, members feel that funding alone will not resolve the issue. The more pressing challenge is the lack of competent and skilled professionals in the industry. This requires strategic government intervention. We suggest investment in training, increasing the appeal of the RBI profession, and expanding registration pathways to build long-term capacity.

Q10. Does the BSR have access to the skilled staff necessary to carry out multidisciplinary assessments of safety? Is the BSR struggling to access the skills it needs, what changes could resolve this issue? For instance, is there a need for higher pay for those carrying out assessments, or for further changes to enable secondments?

The BSR's ability to carry out multidisciplinary safety assessments is constrained by a lack of skilled and experienced staff. Members report that capacity and technical expertise within the regulator are limited, which mirrors the wider challenges facing the

sector. This is concerning given the BSR's heavy reliance on multidisciplinary teams to provide specialist input.

From the job adverts and role profiles seen, expectations for technical knowledge in the built environment are often set too low, while the salaries offered are not competitive enough to attract the calibre of candidates needed. This is a particular risk at the BSR's formative stage, where strong technical capability is crucial.

The regulator currently operates on an outsourced, cost-recovery model, which should in theory provide access to a wide range of specialisms. In practice, however, access to the right skills remains a challenge. Members suggest greater flexibility in competence requirements for certain types of work could help. For example, allowing Grade 2 Registered Building Inspectors (RBIs) to assess certain applications has been a pragmatic step. Expanding the pool of RBIs and other specialists who can contribute to the processing of applications, while keeping BSR regulatory leads in oversight roles, would help to increase capacity in the short term and ease bottlenecks.

Beyond resourcing, members are concerned that low confidence in the BSR as an employer may deter high-quality candidates. If the regulator is not seen as a stable or appealing place to work, it will struggle to attract and retain skilled professionals. Addressing this requires action at a Government level: investment in training, clearer career pathways, and efforts to raise the profile and attractiveness of the RBI profession. Without this, the regulator will continue to face difficulties in delivering timely and robust assessments.

Q11. How is the BSR progressing in improving the safety of all buildings, including low-rise buildings? Is the relationship between the BSR and building control authorities and inspectors working well?

Members don't feel close enough to the BSR's role in regulating the building control profession to comment on how effectively those relationships are working. That said, members recognise that the building control system as a whole is under pressure, with capacity and consistency continuing to be areas of concern. We would welcome greater clarity from the BSR on how its oversight of building control will contribute to improvements across all building types, including low-rise buildings, and how this will link with its wider role in driving building safety standards.

Q12. Are delays simply "growing pains" or are they structural? What improvements are needed?

Members accept that there will inevitably be a learning curve for both the regulator and applicants. Some delays are part of this "growing pains" phase, particularly as developers and their supply chains adapt to the Building Safety Act, the largest reform

to building safety in decades. Pre-application engagement, improved guidance, and time for the regulator to bed in will help reduce these early delays.

However, most members believe the issues go beyond temporary teething problems. Structural challenges are clear, including:

- Inflexible and opaque regulatory framework: Current processes do not reflect the iterative nature of design and construction, making it difficult to plan, sequence work, and manage contracts confidently. Conditional approvals with less-than-finalised design information could give applicants and funders more certainty to start work.
- Resource and capacity constraints within the BSR: Approval rates remain extremely low (for example, only around 5% of applications approved in 12 months), and staff often lack the technical knowledge or familiarity with industry-standard documents to process submissions efficiently. Inconsistent approaches between inspector teams and poor portal record-keeping exacerbate delays.
- Coordination challenges and uncertainty over roles: Shifts between government departments, such as the move from the Health and Safety Executive (HSE) to the Ministry of Housing, Communities and Local Government (MHCLG), risk disrupting progress just as systems begin to stabilise. Members note the importance of continuity, clear communication, and consistency across the regulator's teams.
- Complexity of Building Assessment Certification (BAC) and Registered Building Inspector (RBI) deployment: Members report delays and unpredictability with early BAC notifications, requests for information, and MOR (Mandatory Occurrence Reporting) processes. Better-defined expectations, clear points of contact, and more structured RFI communications are needed.

Potential improvements recommended by members include:

- Clearer guidance on what constitutes a compliant submission, including worked examples, templates, and anonymised feedback from previous applications.
- Greater proportionality in information requests and the ability to submit designs iteratively, aligned with project timelines.
- Improved pre-application dialogue with BSR assessors, including dedicated points of contact for complex or high-risk buildings.
- Strategic staffing and resource planning, including allocation of RBIs to regional or project-specific patches, to reduce duplication and uncertainty.
- Annual industry working groups with key stakeholders, such as the G15, to standardise guidance and address systemic inconsistencies.

Overall, while some delays are attributable to learning curves, structural issues in the framework, resourcing, and processes mean that reform is needed. Addressing these

challenges will require both process improvements and investment in capacity, guidance, and consistency to enable timely and confident delivery of high-risk residential building projects.

Q13. How does the BSR's work relate to the regulation of construction products, and should a single regulator be created?

Members generally support closer integration between building safety regulation and construction product regulation, noting that stronger oversight is essential to close gaps highlighted by the Grenfell Inquiry. As a long-term owner and manager of homes, we have a vested interest in ensuring the materials used in our buildings are safe and reliable. Confidence in the safety and quality of construction products remains mixed, so robust certification, testing, and oversight are critical.

Some members have less direct experience with product regulation and so are cautious about detailed comment, but broadly agree that a single regulator could provide more consistent oversight if it is properly resourced and independent. There are questions about how the system would handle non-compliant suppliers and the variety of products used across projects, which would need careful design to avoid unintended consequences.

Overall, we support exploring the creation of a single construction regulator responsible for both building and product safety, as this could help prevent regulatory gaps, improve confidence in the supply chain, and ensure safety standards are maintained over the long term.

Q14. How does the Building Safety Regulator's regulatory framework compare to how building safety is assured in other countries and jurisdictions? Are there good examples of how to ensure building safety elsewhere, and what lessons can the BSR learn from them?

No answer. Members are not familiar with regulatory frameworks in other countries and so are not in a position to comment on international approaches.